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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MERGED REISSUE AND REEXAMINATION PROCEEDINGS

Attorney Docket No.: 1915.17US03
Reissue Application No.: 10/805,686
Confirmation No.: 8616
Filed: 19 March 2004

Attorney Docket No.: 1915.17US05
Reexamination Control No.: 90/007,487
Confirmation No.: 5214
Filed: 29 March 2005

Examiner: Naoko N. Slack
Group Art Unit: 2800
In re the application of: Richard J. Morris
For: ROOF BATTEN

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The references listed herewith were provided to the Patentee by the defendant, Battens Plus, Inc., in the concurrent patent infringement action of Diversi-Plast Products, Inc. v. Battens Plus, Inc., Civil Action No: 2:04-CV-01005 PGC, to support defendant's assertions that U.S. Patent No. 6,357,193 is invalid. Listed dates for the cited references are dates alleged by the litigation defendant as representative dates for the corresponding documents and are not an admission by the Patentee that the documents are prior art or material to patentability. In

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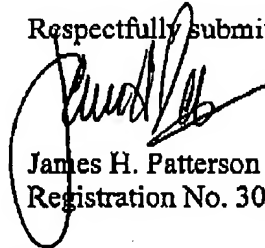
Reissue Application No. 10/805,686
Reexamination Control No. 90/007,487

particular, the copy of the document entitled "The Ridge Vent With the Shingle on Top" does not bear a legible date but is alleged by the litigation defendant to be dated 1989.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Action or Notice of Allowance.

The Commissioner is authorized to charge the \$180.00 filing fee to Deposit Account No. 16-0631. Should there be any overpayment or deficiencies the Commissioner is authorized to charge Deposit Account No. 16-0631.

Respectfully submitted,



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Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0631.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office, Fax No. 1-571-273-8300 on the date shown below.

January 27, 2006

Date


James H. Patterson

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	10/805,686 & 90/007,487
				Filing Date	19 March 2004 & 29 March 2005
				First Named Inventor	Morris
				Art Unit	2800
				Examiner Name	Slack
Sheet	1	of	2	Attorney Docket Number	1915.17US03 & 1915.17US05

U.S. PATENT DOCUMENTS

EXAMINER INITIAL ¹	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number-Kind Code ² (if known)		
		US-4,445,306	05/01/1984	Schauffele
		US-4,718,211	01/12/1988	Russell et al.
		US-5,197,252	03/30/1993	Tiscareno
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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL ¹	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)			

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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

²Applicant's unique citation designation number (optional). ³See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO) to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

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Sheet	2	of	2	Attorney Docket Number	1915.17US03 & 1915.17US05
NON PATENT LITERATURE DOCUMENTS					
EXAMINER INITIAL*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published			T ³
		<u>CORAVENT</u> , "The Ridge Vent With the Shingle on Top", 8 pages			
		<u>CORAVENT</u> , "The New Concept in Tile Roof Ventilation", 4 pages, December 1, 1990			
		<u>CORAVENT</u> , "Hip Roof Application #5", 2 pages, April 15, 1992			
		<u>CORAVENT</u> , "Strip Vent Application #7", 2 pages, April 15, 1992			
		<u>CORAVENT</u> , "Tile Roof Application #9", 2 pages, April 15, 1992			
		<u>Western Roofing</u> , "Fire and Air - Proper Attic Ventilation Poses Problem in Fire Areas", 1 page, May/June 1993			
		<u>CORAVENT</u> , Reference Drawing, 1 page, February 1995			
		<u>ICBO EVALUATION SERVICE, INC.</u> , Evaluation Report, "Filing Category: Roof Covering and Roof Deck Construction - Roof Covering", 11 pages, January 1, 1999			
		<u>ES Report</u> , ICBO Evaluation Service, Inc., "Filing Category: Roof Covering and Roof Deck Construction - Roof Covering", 3 pages, May 1, 2002			
		<u>ES Legacy Report</u> , ICC Evaluation Service, Inc., "Legacy Report on the 1997 Uniform Building Code, the 2000 International Building Code and the 2000 International Residential Code", 2 pages, December 1, 2003			
		<u>ICC Evaluation Service, Inc.</u> , "Acceptance Criteria for Plastic Battens Used in Clay or Concrete Tile Roof Systems", 4 pages, 2004			
EXAMINER SIGNATURE				DATE CONSIDERED	
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.</p> <p>This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.</p>					